

5. *Martin v City of New York*, 08-cv-3117 (ENV)(JO)- settled September 12, 2011 for \$42,500 with stipulation of settlement filed ending litigation in the Eastern District of New York;
6. *Pacheco v. City of New York*, 14CV07581, which is still pending in the Eastern District of New York.

In the cases that settled, a stipulation of settlement and order of dismissal with prejudice was filed with the respective court, indicating, in sum and substance, that nothing in the settlement shall be construed as an admission or concession of liability by any of the defendants or the City of New York regarding any of the allegations made by the plaintiffs in their complaints, or that any of the plaintiffs' rights under the Federal or New York Constitutions or Statutes had been violated.

A review of the Detective's Central Personnel Index (CPI) revealed the following:

1. In August of 2009, Detective Manuel Sepulveda had a substantiated departmental investigation for failure to take police action, failing to arrest two individuals, as well as failure to make proper memo book notations. Due to a statute of limitations expiring. He received a letter of instruction, with no other disciplinary action able to be taken.

A review of the officer's CCRB history revealed the following:

1. On July 16, 2007, Detective Manuel Sepulveda had a substantiated CCRB complaint for failing to prepare a stop and frisk report. No disciplinary action was taken.

The People reserve the right to move *in limine* to preclude reference to this information, or otherwise to object to its use or introduction into evidence during trial.

Should you wish to discuss this matter, please do not hesitate to call me at [REDACTED] [REDACTED] Ext.] during office hours.

Sincerely,

[REDACTED]
[REDACTED]

cc: Clerk of the Court